

NO. 47788-2-II

**COURT OF APPEALS, DIVISION II
OF THE STATE OF WASHINGTON**

DAMEAS DURANAN,

Appellant,

v.

WASHINGTON STATE DEPARTMENT OF SOCIAL AND HEALTH
SERVICES,

Respondent.

BRIEF OF RESPONDENT

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I. INTRODUCTION

Dameas Duranzan received interim disability assistance from the Department of Social and Health Services. When Mr. Duranzan refused to sign a required reimbursement agreement, the Department ended his benefits. An administrative law judge entered an initial order upholding the termination on the merits. The Department allows for administrative review of an initial order by the Board of Appeals, but Mr. Duranzan's request for review was untimely. Because Mr. Duranzan did not show good cause for the untimely submission, the Board of Appeals dismissed his request for review.

Because he did not take advantage of an available administrative remedy, Mr. Duranzan failed to exhaust his administrative remedies. Under RCW 34.05.534 he does not have standing to file a petition for judicial review.

Even if Mr. Duranzan did have good cause to file his petition late, the merits of Mr. Duranzan's administrative appeal are not before this Court. The only relief Mr. Duranzan is entitled to, if he proves that the decision of the Board of Appeals was in error, is a remand back to the Board of Appeals to consider the merits.

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II. COUNTERSTATEMENT OF THE ISSUES

1. Did Mr. Duranzan show good cause to file an appeal with the Board of Appeals more than 20 days past the appeal deadline?

2. If this Court finds good cause for the untimely appeal, should it remand the matter to the Board of Appeals for consideration of the merits?

III. COUNTERSTATEMENT OF THE CASE

Aged, Blind and Disabled (ABD) benefits are cash benefits provided through the Department. RCW 74.62.030; *see generally* chapter 388-449 WAC. Mr. Duranzan was found eligible for and began receiving these benefits in 2013. CP at 9. Many ABD clients receive that assistance while their applications for federal Supplemental Security Income (SSI) benefits are pending. *See* WAC 388-449-0200. ABD and SSI benefits are largely duplicative—if a person is receiving SSI benefits, then he or she is not eligible for ABD benefits. WAC 388-449-0210. If SSI is ultimately awarded, it includes retroactive payments, and ABD clients are required to assign a portion of the retroactive award to the Department in order to reimburse it for the ABD benefits that it provided. *Id.*; *see also* 20 C.F.R. §§ 416.1901–1922 (allowing states to require assignment of SSI benefits as compensation for interim assistance). Mr. Duranzan refused to assign

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his retroactive payment. CP at 9. Because of his refusal, the Department terminated his ABD cash benefits. *Id.*

Mr. Duranzan requested an administrative appeal of the termination. CP at 17. Administrative law judge Stephen Leavell upheld the Department's decision to terminate Mr. Duranzan's ABD benefits in an initial order dated January 30, 2014. CP at 4.

The first decision issued by the administrative law judge failed to include an instruction sheet indicating how Mr. Duranzan could appeal the decision to the Department. CP at 8. Mr. Duranzan contacted the Office of Administrative Appeals, and a corrected order was issued, including the instruction sheet, on February 6, 2014. *Id.* Mr. Duranzan then requested an extension of the time to file his appeal with the Board of Appeals (Board) on February 26, 2014. *Id.* On February 27, 2014, the Board informed him that no extension would be granted. *Id.* Mr. Duranzan filed his appeal on March 21, 2014. *Id.* The Board refused to consider Mr. Duranzan's petition for review, holding that he did not have good cause for failing to submit his appeal on time. CP at 16. Accordingly, the administrative law judge's initial order became a final order and Mr. Duranzan's ABD benefits were terminated. WAC 388-02-0525. The Board specifically found that Mr. Duranzan "could have filed a petition for review on February 27, 2014 by telefax." CP at 10-11.

Mr. Duranzan then petitioned for judicial review in the Pierce County Superior Court. CP at 1. Mr. Duranzan and the Department submitted briefing arguing the matter. CP at 24, 41. Mr. Duranzan failed to appear for oral argument on his petition. CP at 74. The court indicated that it was prepared to rule without oral argument, and the Department agreed with that procedure. *Id.* On May 8, 2015, the court dismissed Mr. Duranzan's petition, holding that he did not have good cause for failing to file his petition for judicial review on time and therefore failed to exhaust his administrative remedies. CP at 32-33. Mr. Duranzan submitted a motion to the superior court requesting a rehearing so that he could submit oral argument. CP at 34-36. The superior court denied Mr. Duranzan's motion. CP at 37. Mr. Duranzan appealed the superior court's ruling to this Court.

Neither party has provided this Court with a copy of the administrative record—the only records before this Court are the pleadings made to and the records made by the Superior Court. *See* CP 38, 75.

IV. ARGUMENT

A. Standard of Review

This is a petition for judicial review of a final administrative order. *See* CP at 1. It is governed by the Administrative Procedure Act, chapter

34.05 RCW. RCW 34.05.510. This Court reviews only the final agency order, here the order of the Board finding that Mr. Duranzan did not have good cause to submit a late appeal. *See King County v. Cent. Puget Sound Growth Mgmt. Hearings Bd.*, 142 Wn.2d 543, 553, 14 P.3d 133 (2000).

Mr. Duranzan bears the burden of demonstrating the invalidity of the Board's final order. RCW 34.05.570(1)(a). This Court may grant relief to Mr. Duranzan only if it determines that one of the nine conditions in RCW 34.05.570(3) are satisfied. The grounds for relief most relevant to this appeal are:

(a) The order, or the statute or rule on which the order is based, is in violation of constitutional provisions on its face or as applied;

...

(d) The agency has erroneously interpreted or applied the law;

(e) The order is not supported by evidence that is substantial when viewed in light of the whole record before the court, which includes the agency record for judicial review, supplemented by any additional evidence received by the court under this chapter;

...

(i) The order is arbitrary or capricious.

See id.

This Court reviews questions of law *de novo*. *Kittitas Cnty. v. E. Wash. Growth Mgmt. Hearings Bd.*, 172 Wn.2d 144, 155, 256 P.3d 1193 (2011).

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Challenged findings of fact are reviewed for substantial evidence. RCW 34.05.570(3)(e). The substantial evidence standard is “highly deferential to the agency fact finder.” *Beatty v. Wash. Fish and Wildlife Comm’n*, 185 Wn. App. 426, 449, 341 P.3d 291 (2015). The court grants relief only if the agency’s decision “is not supported by evidence that is substantial when viewed in light of the whole record before the court.” RCW 34.05.570(3)(e). “Unchallenged findings of fact are treated as verities on appeal.” *Mills v. W. Wash. Univ.*, 170 Wn.2d 903, 906 n.1, 246 P.3d 1254 (2011); *see also* RCW 34.05.546(6).

The “arbitrary and capricious” standard is met only if there is room for but one decision based on the administrative record. “Where there is room for two opinions, action is not arbitrary and capricious even though one may believe an erroneous conclusion has been reached.” *State v. Rowe*, 93 Wn.2d 277, 284, 609 P.2d 1348 (1980). To set aside an agency order as arbitrary and capricious, Mr. Duranzan must put forth a “clear showing of abuse” of discretion. *ARCO Products Co. v. Wash. Utils. & Transp. Comm’n*, 125 Wn.2d 805, 812, 888 P.2d 728 (1995) (quoting *Jensen v. Dep’t of Ecology*, 102 Wn.2d 109, 113, 685 P.2d 1068 (1984)).

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B. Mr. Duranzan Failed To Exhaust His Administrative Remedies Because He Did Not Have Good Cause For His Untimely Appeal

Judicial review of an agency action is available “only after exhausting all administrative remedies available within the agency.” RCW 34.05.534. The Department provides for review of an initial order by the Board. WAC 388-02-0560. Mr. Duranzan failed to exhaust this available administrative remedy because he did not submit a timely request for review by the Board or establish good cause for its untimeliness. Because Mr. Duranzan failed to exhaust all available administrative remedies, and because no exception to the exhaustion requirement applies, this Court should dismiss Mr. Duranzan’s petition for judicial review.

1. Mr. Duranzan’s Request For Review Was Untimely

A request for review of an initial order must be filed within 21 days of the date that the initial order was mailed. WAC 388-02-0580. Otherwise, the initial order becomes a final order. WAC 388-02-0525. It is undisputed that Mr. Duranzan’s request for review by the Board was not submitted within 21 days of the mailing of the initial order. CP at 12, 67 (Mr. Duranzan acknowledges that his request for review was filed 50 days from the date of mailing of the original order and 43 days from the date of mailing of the corrected order). Mr. Duranzan argues that the relevant

date is the mailing of the corrected initial order, not the mailing of the original initial order. CP at 67. This is incorrect. WAC 388-02-0555(2). And, in any event, it is undisputed that the request for review by the Board was not received within 21 days of the mailing of the corrected initial order either. *Id.* As no extension was granted, *see* CP at 10, it is clear that Mr. Duranzan did not submit a timely request for review to the Board. The remaining question is whether Mr. Duranzan had good cause for his failure to file a timely request for review.

2. Mr. Duranzan Has Not Shown Good Cause For His Untimely Appeal

Because Mr. Duranzan's request for review was untimely, the Board could not accept review unless Mr. Duranzan showed "good cause for missing the deadline." WAC 388-02-0580(3)(b). The Board carefully analyzed this issue and correctly concluded that Mr. Duranzan failed to show good cause. CP at 13-16. Mr. Duranzan does not assign error or devote any argument toward this conclusion in his Opening Brief. *See* Opening Brief. Nor could he; the record does not contain any showing of good cause.

WAC 388-02-0020 defines "good cause" for the purposes of Department administrative hearings:

- (1) Good cause is a substantial reason or legal justification for failing to appear, to act, or respond to an

action. To show good cause, the ALJ must find that a party had a good reason for what they did or did not do, using the provisions of Superior Court Civil Rule 60 as a guideline.

(2) Good cause may include, but is not limited to, the following examples.

(a) You ignored a notice because you were in the hospital or were otherwise prevented from responding; or

(b) You could not respond to the notice because it was written in a language that you did not understand.

Id. There is no showing of any “substantial reason or legal justification” in the record transmitted to this Court explaining why Mr. Duranzan did not file his petition for review on time. The Board accepts petitions for review via delivery to its physical address and facsimile transmission. WAC 388-02-0580, 0585. It is a verity on appeal that Mr. Duranzan could have faxed a request for review immediately once he heard that his request for an extension of time was denied. *See* CP at 10-11.

While Mr. Duranzan does not make an argument regarding good cause in his opening brief, before the Superior Court Mr. Duranzan articulated two reasons why he could not submit his appeal on time. First, Mr. Duranzan argued that the necessity for a corrected order was good cause to submit a late appeal. CP at 67. The problem with that is Mr. Duranzan did not submit his request for review within 21 days of the corrected order. *See id.* Rather, his request was submitted 43 days after the corrected order was mailed. *Id.* Mr. Duranzan does not show good cause for the extra 22 days.

Second, Mr. Duranzan argued that February 26, 20 days after the corrected order was issued, “was the earliest he had gotten a response about legal services and was pending an appointment.” *Id.* There is no evidence in the record, submitted under the penalty of perjury or otherwise, about Mr. Duranzan’s request for legal services. *See* CP at 22. It is unknown when he first requested services, whom he requested services from or when his appointment was scheduled for. It is also unknown whether Mr. Duranzan received legal services before he submitted his petition for review. Mr. Duranzan himself argued he needed legal services to “recheck his work with legal assistance.” CP at 67. It was not error for the Board to not find good cause when Mr. Duranzan did not submit competent evidence as to the nature of his request for legal services or why he could not submit his request for review without those services.

3. RCW 34.05.534 Requires That Mr. Duranzan’s Petition Be Dismissed

“A person may file a petition for judicial review under [chapter 34.05 RCW] only after exhausting all administrative remedies available within the agency whose action is being challenged . . .” RCW 34.05.534. Mr. Duranzan failed to exhaust his administrative remedies when he failed
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to file an effective petition for review to the Board. Under RCW 34.05.534, his petition for judicial review must be dismissed.

“The doctrine of exhaustion of administrative remedies is well established in Washington.” *Citizens for Mount Vernon v. City of Mount Vernon*, 133 Wn.2d 861, 866, 947 P.2d 1208 (1997). The doctrine serves important policy goals including the allowance of “agency expertise in its area,” the development of “the necessary factual background,” and the protection of the “administrative agency’s autonomy by allowing it to correct its own errors and insuring that individuals are not encouraged to ignore its procedures by resorting to the courts.” *Id.*

Here, Mr. Duranzan did not submit a petition for review within the timelines required by the Department’s rules. *See* WAC 388-02-0580. Mr. Duranzan did not exhaust his administrative remedies under RCW 34.05.534, and his petition for judicial review must be dismissed.

4. No Exception To The Exhaustion Requirement Applies

No exception to the exhaustion requirement applies in Mr. Duranzan’s case. RCW 34.05.534(3) allows the court to excuse the exhaustion requirement upon a showing that “(a) [t]he remedies would be patently inadequate; (b) [t]he exhaustion of remedies would be futile; or (c) [t]he grave irreparable harm that would result from having to exhaust administrative remedies would clearly outweigh the public policy

requiring exhaustion of administrative remedies.” *Id.* Here, Mr. Duranzan appears to argue that the administrative remedies were futile because Mr. Duranzan put forth constitutional arguments that the Board could not decide. Opening Brief at 7.

While it is true that the agency does not have the power to consider some arguments, *see* WAC 388-02-0225, Mr. Duranzan only made arguments that the agency was empowered to rule on. There is no record before this Court that Mr. Duranzan raised a constitutional argument at the administrative level. CP at 4-7. The administrative law judge summarized Mr. Duranzan’s presentation as an argument that he was not required to agree to the assignment of any SSI back payment because he owed a loan to his landlord, Rainier Rentals. CP at 5. Mr. Duranzan argued that this loan was analogous to money owed to an attorney to prosecute a claim for SSI benefits, CP at 5, which may be paid out of an SSI back payment, 20 C.F.R. § 416.1520(b)(4). The administrative law judge did not go outside of his competence when he ruled that there was no exception in WAC 388-449-0210 for a loan owed to a landlord. *See* CP at 7. Because the administrative law judge had the power to rule on Mr. Duranzan’s argument, Mr. Duranzan’s administrative remedies were not futile.

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The constitutional arguments Mr. Duranzan makes now do not show that his administrative remedies were futile. Mr. Duranzan appears to make two separate constitutional arguments on appeal. *See* Opening Brief at 6-10. First, Mr. Duranzan argues that his procedural due process rights were violated when the Superior Court ruled on his petition without oral argument and then refused to rehear it. Opening Brief at 6-9. Second, Mr. Duranzan argues that the Department violated his substantive due process rights by denying him ABD benefits after the entry of the initial order. Opening Brief at 9-10. These alleged constitutional violations are irrelevant to the question before this Court (i.e., whether or not the Board erred) because they allegedly occurred after the agency action at issue. Also, Mr. Duranzan alleges only as-applied constitutional violations which do not excuse the exhaustion of administrative remedies.

The alleged deprivations of due process do not make Mr. Duranzan's administrative remedies futile. This is because they are irrelevant to the agency action. This Court's task is to determine whether the agency action was lawful. *See* RCW 34.05.570. The Superior Court's ruling without oral argument did not even occur until after Mr. Duranzan filed his petition for judicial review. Similarly, Mr. Duranzan argues that the Department is being unconstitutionally inconsistent by granting him

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ABD benefits when it terminated them before.¹ *See id.* But, again, even if Mr. Duranzan's argument had merit (which it does not), this alleged deprivation would have only occurred after Mr. Duranzan filed his petition for review. *See* Opening Brief at 9 (showing approval of Mr. Duranzan's current benefits in October 2015). Mr. Duranzan only alleges that his constitutional rights were violated *after* the agency's Review Decision and Final Order was issued. CP at 17 (showing issuance of the Review Decision and Final Order on May 16, 2014). Mr. Duranzan's alleged constitutional deprivations do not excuse him from exhausting his administrative remedies because they had not occurred at the time of the agency action.

Second, as-applied constitutional challenges do not excuse exhaustion requirements. *Harrington v. Spokane County*, 128 Wn. App. 202, 210, 114 P.3d 1233 (2009). Mr. Duranzan's arguments all attempt to show that something about his unique circumstances make requiring the assignment of an SSI back payment unfair in some way to him in particular. *See, e.g.*, CP at 7 ("Appellant is understandably concerned with the ability to repay the loan to Rainier Rentals . . ."). If Mr. Duranzan had prevailed before the agency, his ABD benefits would

¹ The facts upon which this argument is based are outside the scope of a petition for judicial review, which must be limited to the record before the agency. RCW 34.05.558. The Department contests Mr. Duranzan's factual account, but will not go outside of the record before this Court in order to present its argument.

not have been terminated. This would have eliminated whatever constitutional concern Mr. Duranzan has. Where “an administrative proceeding might leave no remnant of the constitutional question” administrative remedies must be exhausted. *See Ackerley Commc’ns Inc. v. City of Seattle*, 92 Wn.2d 905, 909, 602 P.2d 1177 (1979) (quoting *Public Util. v. United States*, 355 U.S. 534, 539-40, 78 S. Ct. 446, 2 L. Ed. 2d 470 (1958)).

In sum, Mr. Duranzan failed to file his petition for review to the Board on time. CP at 10. He did not have good cause for this failure. Failing to take advantage of Board review was a failure to exhaust all administrative remedies available to Mr. Duranzan. No exception to the exhaustion requirement applies. Mr. Duranzan’s petition for judicial review must be dismissed under RCW 34.05.534.

C. If The Board Committed Error, Mr. Duranzan’s Remedy Is The Remand Of This Matter To The Board

Because of the procedural posture of this case, the merits of Mr. Duranzan’s appeal are not before the Court. In the event this Court reverses the Board’s final order, this Court should remand the matter to the Board for further proceedings.

This Court reviews only the final agency order. RCW 34.05.570(3). “[A] review judge’s findings and conclusions are

relevant on appeal.” *Chandler v. State Office of the Ins. Comm’r*, 141 Wn. App. 639, 647, 173 P.3d 275 (2007). Here, the review judge held that Mr. Duranzan did not file his petition for review on time, and, therefore, the January 30, 2014 initial order became a final order on February 21, 2014. CP at 16. Because the final order does not address the merits of Mr. Duranzan’s appeal, the merits of his appeal are not before this Court on judicial review. *See* RCW 34.05.570(3).

If this Court determines that the review judge was in error, and Mr. Duranzan’s petition for review should have been reviewed by the Board, then this case should be remanded to the Board for that review. This will not deprive Mr. Duranzan of access to the courts. In the event that the Board affirms the Initial Order on the merits, Mr. Duranzan will have the opportunity to petition for judicial review of that order on the merits. But until the Board rules on the merits, judicial review on the merits is premature because the agency has not had a full opportunity to develop a factual record and correct its own errors. *See Citizens for Mount Vernon*, 133 Wn.2d at 866.

D. Mr. Duranzan’s Constitutional Arguments Are Meritless

The Department argues in the alternative that if this Court considers Mr. Duranzan’s constitutional claims, those claims should be rejected. If the Court rules that Mr. Duranzan did not exhaust his

administrative remedies or that Mr. Duranzan's proper remedy is a remand to the Board, then consideration of these issues is unnecessary.

Mr. Duranzan appears to make two constitutional arguments. First, he argues that the Pierce County Superior Court violated his due process rights by ruling on his case without oral argument and refusing to grant him a rehearing for the purposes of oral argument. *See* Opening Brief at 6-9. Second, Mr. Duranzan argues that the Department violated his substantive due process rights in denying him ABD benefits. *See* Opening Brief at 9. Neither of these arguments have merit.

1. The Superior Court Did Not Deprive Mr. Duranzan Of Due Process By Denying His Petition For Rehearing

Mr. Duranzan's right to present oral argument and testimony was fully satisfied by the administrative hearing held on January 21, 2014. *See* CP at 4. It was not a violation of Mr. Duranzan's due process rights to deny him a rehearing on his petition for judicial review when he failed to be present for his first hearing.

Mr. Duranzan is correct that the due process clause of the U.S. Constitution requires some form of in-person opportunity to be heard prior to the termination of public benefits. *Goldberg v. Kelley*, 397 U.S. 254, 269, 90 S.Ct. 1011, 25 L.Ed.2d 287 (1970). The Court did not hold, however, that all subsequent proceedings must allow for oral argument.

Id. In fact, the Court very explicitly limited its holding to the requirement for an informal, pre-deprivation hearing. *Id.* at 266-67. The Department gave Mr. Duranzan an opportunity for cross-examination, oral presentation of evidence and oral argument at the administrative hearing held on January 21, 2014. CP at 4. The requirements of *Goldberg v. Kelley* were satisfied.

“Due process of law does not require oral argument upon every question of law.” *In re Amendment of Rule 3*, 440 F.2d 847, 849 (9th Cir. 1970). Judicial review of agency action, even at the superior court, is appellate in nature. *See City of Seattle v. PERC*, 116 Wn.2d 923, 926, 809 P.2d 1377 (1991). The Rules of Appellate Procedure specifically allow deciding a case without oral argument where a party fails to appear for oral argument. RAP 11.4(e). The rules also allow for deciding a case without scheduling oral argument at all. RAP 11.4(j). Mr. Duranzan does not show that he was prejudiced by the Superior Court’s refusal to grant him a rehearing. The Superior Court considered Mr. Duranzan’s brief in support of his petition and his reply to the Department’s response. CP at 32. The Department did not offer oral argument or otherwise obtain some advantage that Mr. Duranzan did not have. *See* CP at 74. In the context of judicial review of agency action, no new testimony could have been introduced and Mr. Duranzan’s failure to be present, therefore, only meant

that he could not give legal argument in person. *See* RCW 34.05.558–566. On these facts, the superior court did not err when it refused to rehear Mr. Duranzan’s petition. *See Messer v. Snohomish Cty. Bd. of Adjustment*, 19 Wn. App. 780, 790, 578 P.2d 50 (1978).

Besides, this Court reviews the final agency action with reference to the agency record and without regard to the order of the superior court. *See King County*, 142 Wn.2d at 553. Whatever errors the superior court might have committed, Mr. Duranzan has the exact same opportunity for appeal before this Court as he had before the Pierce County Superior Court. Any deprivation that Mr. Duranzan suffered is completely restored by his appeal. Mr. Duranzan has suffered no injury to his due process rights.

2. Mr. Duranzan Does Not Prove A Substantive Due Process Violation

Mr. Duranzan appears to argue that because the Department has been inconsistent in first terminating his ABD benefits, and then granting them to him again, Mr. Duranzan’s substantive due process rights were violated. *See* Opening Brief at 9. Mr. Duranzan has not alleged what right in particular the Department violated. *Id.* Mr. Duranzan has also not cited the record to show what unfairness in particular is the basis of his
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alleged due process deprivation. *Id.* Mr. Duranzan's arguments are not in conformity with RAP 10.3(a)(6) and should fail for that reason alone.

Substantively, Mr. Duranzan's argument seems to be that after a termination of public benefits, the state cannot later approve an application for the same benefits without violating due process. *See* Opening Brief at 9-10. In Mr. Duranzan's case, his benefits were denied because he refused to sign the form assigning any back payment he receives from the SSI program to the Department. CP at 7. There was no dispute that Mr. Duranzan was otherwise eligible for ABD. *See* CP at 4-7. It stands to reason that if Mr. Duranzan signs that form, and complies with WAC 388-449-0200, then he will be eligible for and receive ABD cash benefits. This is not the kind of arbitrary and oppressive conduct that makes out a violation of substantive due process. *See County of Sacramento v. Lewis*, 523 U.S. 833, 846, 118 S.Ct. 1708, 140 L.Ed.2d 1043 (1998). This is the legitimate, if somewhat bureaucratic, function of government.

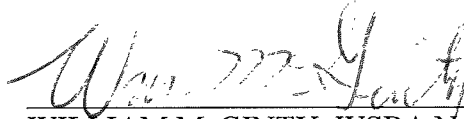
V. CONCLUSION

This matter is very simple: Mr. Duranzan failed to file his petition for review to the Board before the deadline expired and had no good reason for that failure. Because he failed to file his petition, he did not exhaust his administrative remedies. Because he did not exhaust his administrative remedies, his petition for judicial review must be dismissed

under RCW 34.05.534. The merits are not before this Court. In the event that this Court determines the Board was in error, Mr. Duranzan's proper remedy is to remand this case back to the Board for a consideration of Mr. Duranzan's petition for review. Mr. Duranzan's constitutional arguments are meritless and irrelevant and should not be considered.

RESPECTFULLY SUBMITTED this 7 day of April, 2016.

ROBERT W. FERGUSON
Attorney General

A handwritten signature in dark ink, appearing to read "William McGinty", is written over a horizontal line.

WILLIAM MCGINTY, WSBA No. 41868
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Attorneys for Respondent
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williamm1@atg.wa.gov

CERTIFICATE OF SERVICE

I certify that on the date indicated below, I served a true and correct copy of the foregoing document on all parties or their counsel of record as follows:

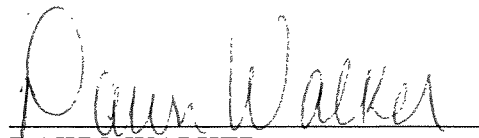
- ☒ US Mail Postage Prepaid
- ☒ US Certified Mail – Electronic Return Receipt
(91 7199 9991 7036 4711 3507)
- ☐ ABC/Legal Messenger
- ☐ State Campus Delivery
- ☒ Via Electronic Mail – dameassd@gmail.com

TO:

DAMEAS DURANZAN
PO BOX 98715
LAKEWOOD, WA 98499

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

EXECUTED this 17th day of April, 2016 at Olympia, WA.


DAWN WALKER

WASHINGTON STATE ATTORNEY GENERAL

April 07, 2016 - 2:29 PM

Transmittal Letter

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Case Name: Duranzan v. DSHS

Court of Appeals Case Number: 47788-2

Is this a Personal Restraint Petition? Yes ☐ No ☒

The document being Filed is:

Designation of Clerk's Papers

Supplemental Designation of Clerk's Papers

Statement of Arrangements

Motion: _____

Answer/Reply to Motion: _____

☒ Brief: Respondent's

Statement of Additional Authorities

Cost Bill

Objection to Cost Bill

Affidavit

Letter

Copy of Verbatim Report of Proceedings - No. of Volumes: _____

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Personal Restraint Petition (PRP)

Response to Personal Restraint Petition

Reply to Response to Personal Restraint Petition

Petition for Review (PRV)

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Comments:

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